

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, September 21, 2022, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, September 16, 2022, at 4:12 P.M.

CALL TO ORDER

Vice-Chair Patrick called the meeting to order at 5:09 P.M.

ROLL CALL:

| | | | |
|-----------------|----------|---------------|---------|
| Hall-Harper | Present | Dodson | Present |
| Cue | Present | Decter Wright | Absent |
| Patrick | Present | Lakin | Absent |
| McKee | Present | Fowler | Present |
| Arthrell-Knezek | Present | | |
| | Present: | 7 | |
| | Absent: | 2 | |

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Brandon Worley, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on August 31, 2022. [CC 9/21/22] 22-874-1
- b. Minutes of Regular Meeting held at 5:00 PM on August 31, 2022 [CC 9/21/22] 22-874-2

Councilor Cue moved to approve 1.a – 1.b. Councilor Dodson seconded the motion.

ROLL CALL:

| | | | |
|-----------------|-----|---------------|--------|
| Hall-Harper | Yea | Dodson | Yea |
| Cue | Yea | Decter Wright | Absent |
| Patrick | Yea | Lakin | Absent |
| McKee | Yea | Fowler | Yea |
| Arthrell-Knezek | Yea | | |

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Mary Lee Townsend – Reappointment to the Preservation Commission; term expires October 1, 2025. (Attended 56/65 meetings.) (CD-9) [PW 9/14/22; CC 9/21/22] 22-798-1
- b. Tim Newton – Appointment to the Board of Appeals replacing Michelle Barnett; term expires June 30, 2025. (CD-1) [PW 8/31/22; PW 9/14/22; CC 9/21/22] 22-765-2

- c. Scott Pohlenz – Appointment to the Arts Commission of the City of Tulsa replacing Weldon Bowman; term expires December 1, 2023. (CD-2) [UED 9/14/22; CC 9/21/22] 22-822-1

Public Comments:
John Huffines – 2.a – 2.c.

Councilor Cue moved to approve 2.a – 2.c. Councilor Dodson seconded the motion.

ROLL CALL:

| | | | |
|-----------------|-----|---------------|--------|
| Hall-Harper | Yea | Dodson | Yea |
| Cue | Yea | Decter Wright | Absent |
| Patrick | Yea | Lakin | Absent |
| McKee | Yea | Fowler | Yea |
| Arthrell-Knezek | Yea | | |

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

3. PUBLIC HEARINGS

- a. Public Hearing to receive written and oral comments from citizens regarding the proposed closing of a Public Way, the right-of-way located at 6 E. 5th St. S., and the right-of-way in the alley adjacent to the east line of Lot Eight (8), Block One Hundred Forty-Eight (148), Tulsa Original Town, to allow for door swings, requested by Dani Fields with Wallace Design Collective. (CD-4) (Public Hearing: 9/21/22) [PW 9/21/22; CC 9/21/22; CC 9/28/22] 22-802-3

Councilor McKee moved to enter Public Hearing on 3.a. Councilor Dodson seconded the motion.

ROLL CALL:

| | | | |
|-----------------|-----|---------------|--------|
| Hall-Harper | Yea | Dodson | Yea |
| Cue | Yea | Decter Wright | Absent |
| Patrick | Yea | Lakin | Absent |
| McKee | Yea | Fowler | Yea |
| Arthrell-Knezek | Yea | | |

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.a at 5:14 P.M.

There were no speakers.

Without objection, Council exited Public Hearing on 3.a at 5:14 P.M.

4. MAYOR’S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of twenty-five thousand dollars (\$25,000.00) to Patrick and Katie Fox, Plaintiffs, from the Sinking Fund as a judgment and

-
- attorney fee award in Case No. CJ-2022-02735, Patrick and Katie Fox v. City of Tulsa. **(Emergency Clause)** [PW 9/21/22; CC 9/21/22] 22-869-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of twenty-five thousand dollars (\$25,000.00) to Carol Krueger, Plaintiff, from the Sinking Fund as a judgment and attorney fee award in Case No. CJ-2022-1412, Carol Krueger v. City of Tulsa. **(Emergency Clause)** [PW 9/21/22; CC 9/21/22] 22-870-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution authorizing payment of twenty-one thousand, eight hundred twenty-one dollars and forty-five cents (\$21,821.45) to Gregory and Kristina Dixon, Plaintiffs, from the Sinking Fund as a judgment and attorney fee award in Case No. CJ-2022-02620, Gregory and Kristina Dixon v. City of Tulsa. **(Emergency Clause)** [PW 9/21/22; CC 9/21/22] 22-871-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of a Resolution adopting the City of Tulsa Program for Public Information 2021-2022 Annual Evaluation Report. This report is a significant element of the City of Tulsa's Community Rating System (CRS) credit. **(Emergency Clause)** [PW 9/14/22; CC 9/21/22] 22-816-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Bluewater Properties, LLC, for property located at 1427 S. Harvard Ave., Summit Heights Addition, for a projecting sign and three (3) awnings. (CD-4) [PW 9/14/22; CC 9/21/22] 22-820-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 1 to Contract No. 136087 between the City of Tulsa and Grade Line Construction, LLC, for Project No. 148170 C4, TMUA-W 19-10 and ES 2019-11 in the amount of three hundred two thousand, nine hundred sixty-nine dollars and thirty-eight cents (\$302,969.38) and one hundred fifty (150) calendar days due to retaining wall, fence removal, grading operations north of 23rd St. between S. Jackson Blvd. and S. Maybelle Ave., the addition of 2 Rapid Flashing Beacons across Nogales Ave. and 22nd Pl. and added work, water and sewer within Phase 5 housing area to meet the Tulsa Housing Authority deadline and 150 calendar days for request for information (RFI) on sanitary sewer work, utility conflicts with AT&T, coordination with Oktoberfest activities, conflicts with other contractors on-site limiting access to work areas and work to be added for Phase 5 and 6 housing for the Riverwest Phase III and IV Neighborhoods Initiative. (CD-2) [PW 9/14/22; CC 9/21/22] 22-821-2
- h. Consideration and possible approval, adoption, denial, amendment of revisions to the Personnel Policies and Procedures Manual relating to Section 100 – Employment. (Note: Per Charter, Council must approve or disapprove on or before September 28, 2022, or the revisions will automatically be approved.) [UED 9/14/22; CC 9/21/22] 22-827-2
- i. Consideration and possible approval, adoption, denial, amendment or revision of a Storm Sewer Easement Donation by Zohny Samir Zohny and Alejandra Camacho-Soto of property located at 2557 E. 67th St. S., Parcel 1A, Muzingo Hill Addition, for the 67th and Birmingham Drainage Improvement Project. (CD-2) [CC 9/21/22] 22-866-1
- j. Consideration and possible approval, adoption, denial, amendment or revision of an Emergency Access Easement Donation by Slam Bang Trolley, LLC of property located at 2960 N. Florence Ave., Santa Fe Industrial District Addition, for the Santa Fe Industrial Park Project. (CD-1) [CC 9/21/22] 22-867-1
- k. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from Indian Nations Council of Governments (INCOG) in the

amount of two thousand, eight hundred fifty dollars (\$2,850.00) for Michael Van Slyke to travel to Fayetteville, AR on September 20, 2022, to attend the Lane Shifts Active Transportation Academy. [CC 9/21/22] 22-868-1

- l. Consideration and possible approval, adoption, denial, amendment or revision of an extension of a Contract for a loan from the Gilcrease Museum collection to Cherokee Nation Cultural and Economic Development, LLC of a Printing Press and Rollers, used to produce Cherokee Advocate. [CC 9/21/22] 22-873-1
- m. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: 2022 Komen Tulsa Race for the Cure scheduled for September 24, 2022, starting at 8330 S. Riverside Pkwy. (CD-2) [CC 9/21/22] 22-875-1
- n. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Bike MS Oklahoma scheduled for September 24-25, 2022, starting at 700 N. Greenwood Ave. (CD-1) [CC 9/21/22] 22-876-1
- o. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: BOK Center October 2022 Events scheduled for October 1-31, 2022, at 200 S. Denver Ave. (CD-4) [CC 9/21/22] 22-877-1
- p. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: St. Jude Walk/Run Tulsa scheduled for September 24, 2022, starting at 201 N. Elgin Ave. (CD-4) [CC 9/21/22] 22-878-1

Public Comments:
John Huffines – 4.m, 4.o, 4.p.

Councilor Hall-Harper moved to approve 4.b – 4.p with the emergency clause on 4.b – 4.e. Councilor Dodson seconded the motion.

ROLL CALL:

| | | | |
|-----------------|-----|---------------|--------|
| Hall-Harper | Yea | Dodson | Yea |
| Cue | Yea | Decter Wright | Absent |
| Patrick | Yea | Lakin | Absent |
| McKee | Yea | Fowler | Yea |
| Arthrell-Knezek | Yea | | |

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Monthly Status Report from the Sales Tax Overview Committee on current activities and efforts. [CC 9/21/22]

Mareo Johnson presented the report.

Public Comments:
John Huffines – 5.a.

- b. **PULLED:** Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7670 from RS-3 to IL for property located west of the NW/c of N. Harvard Ave. and E. 36th St. N. requested by Lou Reynolds. (Property owner: Helen P. Powell Rev. Trust) (CD-1) (TMAPC voted 8-0-0 to recommend **APPROVAL** of IL zoning.) [UED 8/24/22; CC 9/21/22; CC 9/28/22] 22-758-2

6. ORDINANCES - FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of five hundred sixty-two thousand, five hundred dollars (\$562,500.00) recognized from unappropriated fund balance within the Convention and Visitors Fund. [PW 9/21/22; CC 9/21/22; CC 9/28/22] 22-872-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a Public Way, the right-of-way located at 6 E. 5th St. S., and the right-of-way in the alley adjacent to the east line of Lot Eight (8), Block One Hundred Forty-Eight (148), Tulsa Original Town, to allow for door swings, requested by Dani Fields with Wallace Design Collective. (CD-4) (Public Hearing: 9/21/22) [PW 9/21/22; CC 9/21/22; CC 9/28/22] 22-802-2

Without objection, items 6.a – 6.b were forwarded to the next Council meeting.

7. ORDINANCES - SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7662 from AG to CS for property located on the west side of Riverside Pkwy. (S. Delaware Ave.) near the intersection of E. 106th St. S. requested by Dani Fields. (Property owner: John Powell, Ltd. c/o Robert W. McGregor) (CD-2) (TMAPC voted 7-1-0 to recommend **APPROVAL** of CS zoning.) [UED 8/31/22; CC 9/14/22; CC 9/21/22] 22-772-3
- b. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7671 from RS-3 and OL to RS-4 for multiple properties located west of the SW/c E. 33rd St. N. and N. Peoria Ave. requested by Ryan McCarty. (Property owner: Boomtown Development Company) (CD-1) (TMAPC voted 7-0-0 to recommend **APPROVAL** of RS-4 zoning.) [UED 8/31/22; CC 9/14/22; CC 9/21/22] 22-773-3
- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7672 from RS-1 and RS-3 to AG-R for nine (9) properties located between the NE/c of E. 21st and S. 145th E. Ave. and the SW/c of E. Admiral Pl. and S. 193rd E. Ave. requested by Tulsa City Council. (Property owners: Multiple Property Owners) (CD-6) (TMAPC voted 7-0-0 to recommend **APPROVAL** of AG-R zoning.) [UED 8/31/22; CC 9/14/22; CC 9/21/22] 22-774-3
- d. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7665 from RM-1 to CS with an Optional Development Plan for property located at the NE/c of W. Pine St. and N. 24th W. Ave. requested by Sharon Cole. (Property owners: The Cole Family Investment Trust) (CD-1) (TMAPC voted 6-3-0 to recommend **APPROVAL** of CS zoning with an Optional Development Plan.) [UED 8/31/22; UED 9/14/22; CC 9/14/22; CC 9/21/22] 22-775-3
- e. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7659 from RS-3 to CS for property located south of Gilcrease Expressway, east side of N. Peoria Ave., and west of N. Quaker Ave. requested by Fayette Willis. (Property owner: Willou Properties, LLC) (CD-1) (TMAPC voted 8-1-0 to recommend **APPROVAL** of CS zoning.) [UED 8/24/22; CC 9/14/22; CC 9/21/22] 22-751-3
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Utility Easement, requested by Natalie Marra, Eller and Detrich, PC, for property located at 1228 S. Canton Ave., in Tract Thirteen (13), of Crowell Heights to allow the construction of an addition to the garage. (CD-5) [PW 9/14/22; CC 9/14/22; CC 9/21/22] 22-805-2

-
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to transfer unencumbered and unexpended appropriation balances of three hundred forty-one thousand, seventy-two dollars and twenty-two cents (\$341,072.22) between projects within the Mingo Creek Detention Fund and to make supplemental appropriations of four hundred twenty-four thousand dollars (\$424,000.00) recognized from unappropriated fund balance within the Mingo Creek Detention Fund. [UED 9/14/22; CC 9/14/22; CC 9/21/22] 22-806-2
- h. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of six million, four hundred forty-five dollars and fifty-nine cents (\$6,000,445.59) from grant revenue from the Federal Emergency Management Agency for four million, one hundred eight thousand, nine hundred twenty dollars and fifty-six cents (\$4,108,920.56), and local match dollars for one million, eight hundred ninety-one thousand, five hundred twenty-five dollars and three cents (\$1,891,525.03) from the 2014 General Obligation Bond Issue 5 Sub Fund, to be received within the Hazard Mitigation Fund Grants Sub Fund, and to transfer one million, eight hundred ninety-one thousand, five hundred twenty-five dollars and three cents (\$1,891,525.03) between departments and accounts within the 2014 General Obligation Bond Issue 5 Sub Fund. [UED 9/14/22; CC 9/14/22; CC 9/21/22] 22-810-2
- i. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of ninety-one thousand, two hundred ninety-five dollars (\$91,295.00), seventy-three thousand, thirty-six dollars (\$73,036.00) from grant revenue to be received from the Oklahoma Department of Emergency Management and a grant match of eighteen thousand, two hundred fifty-nine dollars (\$18,259.00), a transfer to be received from the General Fund within the 911 Grant Programs Sub Fund, and to transfer unencumbered and unexpended appropriation balances of eighteen thousand, two hundred fifty-nine dollars (\$18,259.00) between departments and account groups within the General Fund. [UED 9/14/22; CC 9/14/22; CC 9/21/22] 22-811-2
- j. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 11-B, Tulsa Revised Ordinances, titled "Solid Waste Management"; Chapter 5, "Solid Waste Rates and Deposits", Section 500B, "Rates for Collection and Disposal", making necessary amendments to monthly user fees for certain residential collection services, including standard collection services and premium services and amending service charges for physically limited services and other charges. **(Emergency Clause)** [PW 9/14/22; CC 9/14/22; CC 9/21/22] 22-812-2
- k. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance adopting the Twenty-Ninth Supplement to the Seventh Revision of the Tulsa Revised Ordinances, codifying ordinances enacted between October 1, 2021, and March 31, 2022; providing certain exceptions for ordinances excluded; providing for the repeal of certain ordinances; protecting preexisting rights; providing for copies to be deposited with the city clerk; providing for distribution of copies to city departments and others; providing for the sale of copies. **(Emergency Clause)** [UED 9/14/22; CC 9/14/22; CC 9/21/22] 22-813-2
- l. Consideration and possible approval, adoption, denial, amendment or revision of a Ordinance Amending Tulsa Revised Ordinances, Title 24, titled "Nuisances", Chapter 2, titled "Procedure for Abatement", revising Section 201, titled "Abatement", related to nuisance abatement extension fees as set forth in Subsection "F". **(Emergency Clause)** [PW 9/14/22; CC 9/14/22; CC 9/21/22] 22-815-2
- m. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 27, Tulsa Revised Ordinances, "Penal Code",

Chapter 22, “Public Protections” by repealing Section 2212, titled “Receipt of Tobacco Products By Minors”, effective November 1, 2022; amending the remaining sections, Sections 2010 through 2019; adding definitions for “Nicotine Product” and “Vapor Product”; regulating access to tobacco, nicotine, and vapor products; increasing the age of persons protected by these regulations from those under the age of eighteen (18) to those under the age of twenty-one (21); preserving pending civil or criminal prosecutions, suits or proceedings. (Hall-Harper) **(Emergency Clause)** [UED 9/14/22; CC 9/14/22; CC 9/21/22] 22-824-2

Public Comments:
Kathy McDonald – 7.d.
James Alexander, Jr. – 7.e.

Councilor Hall-Harper moved to approve 7.a – 7.m with the emergency clause on 7.j – 7.m. Councilor Dodson seconded the motion.

ROLL CALL:

| | | | |
|-----------------|-----|---------------|--------|
| Hall-Harper | Yea | Dodson | Yea |
| Cue | Yea | Decter Wright | Absent |
| Patrick | Yea | Lakin | Absent |
| McKee | Yea | Fowler | Yea |
| Arthrell-Knezek | Yea | | |

Yeas: 7 Nays: 0 Absent: 2 Abstentions: 0

Motion carried.

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor McKee reminded everyone that flu vaccines and COVID-19 boosters are available and wished Councilor Patrick a happy birthday.

Public Comments:
John Huffines – 8.a.

9. NEW BUSINESS

- a. No items this week.

10. HEARING OF APPEALS

- a. No items this week.

11. HEARING OF PUBLIC COMMENTS

- a. Linda Jones – The need for speed bumps and concerns regarding loose animals. [CC 9/21/22] 22-879-1

Linda Jones addressed the Council.

12. **ADJOURNMENT**

- a. Adjournment.

Vice-Chair Patrick adjourned the meeting at 6:00 P.M.

Lori Decter Wright, Chair of the Council

Lori Doring, Secretary to the Council